

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE JUDICIARY COMMITTEE

Date: Friday, February 6, 2009
Place: Capitol

Time: 9:00 am
Room: 303

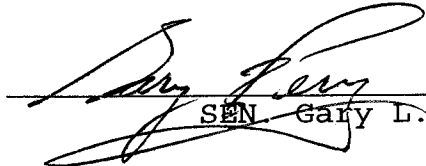
BILLS and RESOLUTIONS HEARD:

SB 311, SB 340, SB 341

EXECUTIVE ACTION TAKEN:

SB 311-Do Pass, SB 341-Do Pass, SB 340-Do Pass, SB 281-Do Pass As Amended

COMMENTS:


SEN. Gary L. Perry, Chairman

MONTANA STATE SENATE
Roll Call
JUDICIARY COMMITTEE

DATE: 2/6/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT		/
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN	/	
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDY MOSS	/	
SENATOR TERRY MURPHY	/	



SENATE STANDING COMMITTEE REPORT

February 6, 2009

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 311** (first reading copy -- white) **do pass.**

Signed: _____

Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 9, No 3

Fiscal Note Required ☐

SB0311001SC.smo

NO



SENATE STANDING COMMITTEE REPORT

February 6, 2009

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 341** (first reading copy -- white) **do pass.**

Signed: _____

Signed: [Signature]
Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 10, No 2

Fiscal Note Required ☐

SB0341001SC.smo

MD



SENATE STANDING COMMITTEE REPORT

February 6, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 340** (first reading copy -- white) **do pass.**

Signed: _____

Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 9, No 3

Fiscal Note Required ☐

SB0340001SC.smo

MD



SENATE STANDING COMMITTEE REPORT

February 6, 2009

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 281** (first reading copy -- white) do pass as amended.

Signed: _____

Senator Gary L. Perry, Chair

And, that such amendments read:

1. Title, line 5.

Following: "46-9-401,"

Strike: "AND"

Following: "61-5-214,"

Insert: "AND 61-5-218,"

2. Page 2, line 22.

Following: "misdemeanor"

Strike: "or a felony"

Following: "under"

Strike: "the Montana Code Annotated"

Insert: "Title 45, Title 61, chapters 3 through 10, or Title 87"

3. Page 3, line 15.

Following: "by"

Strike: "first-class"

Insert: "certified"

4. Page 3, line 23.

Following: line 22

Insert: "**Section 4.** Section 61-5-218, MCA, is amended to read:

"61-5-218. License reinstatement fee following license suspension or revocation. (1) Except as provided in subsection (2), a person whose driver's license, other than a commercial driver's license, or driving privilege has been suspended or revoked shall pay a reinstatement fee of \$100 to the department

Committee Vote:

Yes 10, No 2

Fiscal Note Required ____

MD

to have the driver's license or driving privilege reinstated.

(2) (a) A person whose driver's license or driving privilege was suspended or revoked under 61-5-205 or 61-8-402 shall pay a reinstatement fee as required by 61-2-107.

(b) A driver's license or driving privilege that was suspended or revoked under 61-5-207 must be reinstated without payment of a reinstatement fee.

(c) The reinstatement fee required under subsection (1) must be waived by the department when a court notifies the department that the person has satisfied the requirements of 61-5-214(2) and the court has determined that the person is indigent under the standards set forth in 47-1-111.

(3) The department shall deposit the fees collected under subsection (1) in the general fund.""

Renumber: subsequent section

- END -

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/6/09 BILL NO SB34 MOTION NO. 1
MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	/		
SENATOR JESSE LASLOVICH	/		
SENATOR AUBYN CURTISS	/		
SENATOR LARRY JENT	/		/
SENATOR TERRY MURPHY		/	
SENATOR LYNDA MOSS	/		
SENATOR JOHN ESP	/		
SENATOR CLIFF LARSEN	/		
SENATOR CAROL JUNEAU		/	
SENATOR GREG HINKLE	/		
SENATOR JIM SHOCKLEY, VICE CHAIR	/		
SENATOR GARY PERRY, CHAIRMAN	/		

10 / Z

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/6/09
MOTION: _____

BILL NO. SB 340 MOTION NO. 1

~~SB 340~~ A MEMORANDUM

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>		
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP		<input checked="" type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR		<input checked="" type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN		<input checked="" type="checkbox"/>	

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MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/6/09 BILL NO 340 MOTION NO. 1
MOTION: _____

DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR AUBYN CURTISS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LYNDA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR JOHN ESP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CAROL JUNEAU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/6/09 BILL NO SB281 MOTION NO. 4
MOTION: _____

Do Pass Amend

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR AUBYN CURTISS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JOHN ESP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CAROL JUNEAU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee
because of other commitments. I desire to leave my proxy vote with:

Sen. Jesse Laslovich

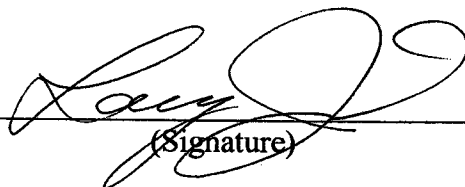
Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

SB 311 Do Pass	/	
SB 341 Do Pass	/	
SB 340 Do Pass Amend	/	
SB 340 Do Pass	/	
SB 281 amend	/	
SB 281 amend ^{conced}	/	
SB 281 Do Pass Amend	/	

BILL/AMENDMENT AYE NO

Sen. _____


(Signature)

Date _____

1/7/09

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 2/6/09

Bill No. SB-311 Sponsor(s) Senator Gallus

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Name and Address	Representing	Support	Oppose	Inf.
Nancy Sweeney - Helena	LaC Co Clerk Dist Court	X		
Lori Maloney	BSA Clerk of Court	X		
Mary "Marty" Phippen	Wt. Assn. Clerks of Dist. Court	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Visitors Register

Date

Bill No.

Sponsor(s)

Senator Lás'lovich

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[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 2/6/09

Bill No. SB-341 Sponsor(s) Senator Laslovich

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Name and Address	Representing	Support	Oppose	Inf.
PAT Keim	ALTERNATIVES INC	Y		
Sue Wilkins	Missoula Correctional Services	✓		
LINDA STALL	MISSOULA COURTEN	✓		
Jim Smith	County Atty's	✓		
Fred Van Valkenburg	Missoula Co. Atty	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.